

Exhibit 5

From: ThucMinh Nguyen <TNguyen@kasowitz.com>
Sent: Friday, May 23, 2025 5:27 PM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>; ttruong@munckwilson.com
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@cjsjlaw.com>
Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

Wallace and Tri,

Thank you for working with us on the proposed amended scheduling order. Attached is the Unopposed Motion for Leave and Joint Motion to Amend Scheduling Order.

Please let us know whether we have your permission to file the attached.

Regards,
Minh

From: ThucMinh Nguyen
Sent: Friday, May 23, 2025 3:27 PM
To: 'Wallace Dunwoody' <wdunwoody@munckwilson.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@cjsjlaw.com>
Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

Wallace,

Thank you for sending back the revised schedule. Attached is some edits to the scheduling order, which keeps the trial date of January 11, 2027 while evenly spacing out the expert reports after close of fact discovery. If Southwest is agreeable to the attached, we can finalize and file this joint motion to amend the scheduling order. We will also be sending over the unopposed motion for leave to amend the complaint shortly.

As to the motion to stay the claim constructions deadline, we believe this is moot given the entry of our joint motion to amend the scheduling order, which sets opening claim construction on October 14, 2025.

Many thanks,
Minh

From: Wallace Dunwoody <wdunwoody@munckwilson.com>
Sent: Friday, May 23, 2025 1:23 PM
To: ThucMinh Nguyen <TNguyen@kasowitz.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman

<wellerman@cjsjlaw.com>

Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

Counsel –

Here is a clean version of the amended schedule revised following our conversation this afternoon. I started with our (MWM) version from yesterday. I plugged in Jan. 11 as the trial date and Dec. 17 as the pretrial hearing. Working backwards, the other dates I moved forward 2 weeks, making one minor zigzag to avoid July 4 holiday, until I got to the deadline to add parties. I included 30 days to answer/MTD the amended complaint. I also deleted out any original deadlines that had already passed. Hopefully, this makes sense and is consistent with our discussion. If I made any mistakes, please let me know.

Also, we put together an unopposed motion for relief from next Tuesday's opening CC brief deadline. Please let us know if we can mark you as unopposed on that.

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

From: ThucMinh Nguyen <TNguyen@kasowitz.com>
Sent: Friday, May 23, 2025 10:36 AM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>;
Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman
<wellerman@cjsjlaw.com>
Subject: Re: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Hi Wallace,

Does 2:30PM CT work for you?

Many thanks,
Minh

On May 23, 2025, at 8:28 AM, Wallace Dunwoody <wdunwoody@munckwilson.com> wrote:

Let's plan to discuss at 1:30. That should give us time to gather input from our client. I agree that claim construction should be agnostic to contentions when the court is deciding the correct constructions—but the infringement and invalidity issues obviously dictate what terms require construction, should be presented for indefiniteness, etc. As I'm sure you realize, there is a reason the patent contentions are normally scheduled before claim construction briefing starts. But I think it's worth discussing again.

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

From: Mark Siegmund <MSiegmund@CJSJLAW.com>
Sent: Friday, May 23, 2025 9:49 AM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>; ThucMinh Nguyen <TNguyen@kasowitz.com>
Cc: SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@CJSJLAW.com>
Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Hi Wallace,

We are happy to provide SWA more time for their invalidity contentions. However, the deadline for invalidity contentions isn't dependent on the Markman briefing schedule. Judge Albright has repeatedly expressed this view that Markman is agnostic to infringement and invalidity contentions. If IV provides SWA the standard amount of time for SWA to serve its contentions, that should resolve your concern you expressed below. Let us know if you are agreeable.

Sincerely,
Mark

Mark D. Siegmund
Partner
CHERRY JOHNSON SIEGMUND JAMES, PLLC
(254)732-2242
www.cjsjlaw.com

From: Wallace Dunwoody <wdunwoody@munckwilson.com>
Sent: Friday, May 23, 2025 8:24 AM

To: ThucMinh Nguyen <TNguyen@kasowitz.com>
Cc: Mark Siegmund <MSiegmund@CJSJLAW.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@CJSJLAW.com>
Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

I don't think we can recommend this schedule to our client because the time allotted for serving invalidity contentions is too compressed. We will need more time to investigate the new claims and prepare a proper defense. If there's a contested motion or a new lawsuit filed, I think we'd have more time than what you've proposed. That said, I do think we should discuss further. Let's plan to talk at 1:30 if that works on your end.

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

From: ThucMinh Nguyen <TNguyen@kasowitz.com>
Sent: Thursday, May 22, 2025 11:29 PM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@cjsjlaw.com>
Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Thanks Wallace.

Please find attached our proposal. Please let us know whether Southwest is agreeable and we can proceed with filing an unopposed motion for leave to amend the complaint tomorrow.

Happy to discuss at 1:30 PM CT or earlier.

Many thanks,
Minh

From: Wallace Dunwoody <wdunwoody@munckwilson.com>
Sent: Thursday, May 22, 2025 4:10 PM
To: ThucMinh Nguyen <TNguyen@kasowitz.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman

<wellerman@cjsjlaw.com>

Subject: RE: Intellectual Ventures v. Southwest - Motion for Leave

Thanks for providing the proposed schedule. I've sketched out what I think might be agreeable on our end. The main difference is building in more time for invalidity searches and preparing invalidity contentions before heading into claim construction. So it would kick the case schedule back about 4 months. I haven't had a chance to confer with Southwest/potential witnesses about this yet. But let's discuss tomorrow. Maybe 1:30 CT?

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

From: ThucMinh Nguyen <TNguyen@kasowitz.com>
Sent: Thursday, May 22, 2025 3:01 PM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>
Cc: Mark Siegmund <MSiegmund@cjsjlaw.com>; SWA-IV <SWA-IV@munckwilson.com>;
Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman
<wellerman@cjsjlaw.com>
Subject: Re: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Counsel,

During our meet and confer regarding IV's anticipated move for leave to amend the complaint tomorrow, you requested a revised proposed schedule. Please find the requested schedule attached for your review.

Additionally, during our meet and confer, counsel for Southwest indicated that Southwest's venue deponent testified that Southwest does not perform unlicensed use cases of Kubernetes, Spark, and Hadoop. We explained that Southwest's witness was not prepared to testify regarding Southwest's private cloud and identified another witness who had knowledge of these use cases. We explained that Southwest's witness did not have knowledge regarding unlicensed hosting services such as EC2. We asked during the call for Southwest to represent that these use cases are not and were not used by Southwest during the damages time period and Southwest was unable to confirm the same. To be clear, IV has no interest in pursuing claims that your clients can confirm after a reasonable investigation that you do not perform at all. To this end, please let us know if Southwest will provide a declaration confirming no unlicensed use of

Kubernetes, Spark, and Hadoop or reasonably similar technology during the damages time period.

Regards,
Minh

ThucMinh Nguyen
Kasowitz Benson Torres LLP
333 Twin Dolphin Drive, Suite 200
Redwood Shores, CA 94065
Tel. (650) 453-5420
Fax. (650) 362-9302
TNguyen@kasowitz.com

This e-mail and any files transmitted with it are confidential and may be subject to the attorney-client privilege. Use or disclosure of this e-mail or any such files by anyone other than a designated addressee is unauthorized. If you are not an intended recipient, please notify the sender by e-mail and delete this e-mail without making a copy.

From: Mark Siegmund <MSiegmund@CJSJLAW.com>
Sent: Wednesday, May 21, 2025 9:54 AM
To: Wallace Dunwoody <wdunwoody@munckwilson.com>
Cc: SWA-IV <SWA-IV@munckwilson.com>; Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@CJSJLAW.com>
Subject: Re: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Hi Wallace,

That works with us.

Sent from my iPad

On May 20, 2025, at 6:16 PM, Wallace Dunwoody <wdunwoody@munckwilson.com> wrote:

Tomorrow afternoon is fine to discuss. How about 2:30 CT?

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

From: Mark Siegmund <MSiegmund@CJSJLAW.com>
Sent: Tuesday, May 20, 2025 4:05 PM
To: SWA-IV <SWA-IV@munckwilson.com>
Cc: Intellectual Ventures <IntellectualVentures@kasowitz.com>; William Ellerman <wellerman@CJSJLAW.com>
Subject: Intellectual Ventures v. Southwest - Motion for Leave

[External]

Counsel,

IV intends to move for leave to add four additional patents in the case against Southwest by this Friday. We are happy to meet and confer with Southwest to discuss, but we need to schedule the meet and confer this week. Otherwise we will assume Southwest is opposed. Please let us know your availability for tomorrow afternoon, Thursday 1-2, 4-6 central, or Friday after 2:00pm central.

Sincerely,
Mark

MARK SIEGMUND
PARTNER
msiegmund@cjsjlaw.com
O 254.732.2242
C 254.644.2122
F 866.627.3509

CHERRY JOHNSON SIEGMUND JAMES
Bridgeview Center
7901 Fish Pond Rd, Second Floor
Waco, Texas 76710

<image001.png>

On May 22, 2025, at 11:17 AM, Wallace Dunwoody <wdunwoody@munckwilson.com> wrote:

ALERT: THIS IS AN EXTERNAL EMAIL. DO NOT CLICK ON ANY LINK, ENTER A PASSWORD, OR OPEN AN ATTACHMENT UNLESS YOU KNOW THAT THE MESSAGE CAME FROM A SAFE EMAIL ADDRESS.

Counsel –

As discussed yesterday, we are concerned with the logistics of how adding new patent claims at this point will impact the current case schedule. Please send us your proposal for how to modify the case schedule to accommodate adding the new patent claims.

Best regards,

Wallace Dunwoody
Munck Wilson Mandala, LLP

2000 McKinney Avenue, Suite 1900, Dallas, TX 75201
Office: (972) 628-3636 Mobile: (214) 536-2297

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

**PLAINTIFF'S UNOPPOSED MOTION
FOR LEAVE TO FILE AMENDED COMPLAINT**

TO THE HONORABLE COURT:

COMES NOW Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC, (“IV” or “Plaintiffs”) respectfully file this Unopposed Motion for Leave to File an Amended Complaint against Defendant Southwest Airlines Co. (“Defendant” or “Southwest”) (collectively, the “Parties”).

Pursuant to Federal Rules of Civil Procedure 15(a), leave to amend “shall be freely given when justice so requires.” *Forman v. Davis*, 371 U.S. 178, 182 (1962). A plaintiff ought to be afforded an opportunity to test his claims on the merits, as long as the purpose is not for undue delay, bad faith, and there would be no undue prejudice to the opposing party. *Id.*

On November 2, 2024, Plaintiffs filed its Original Complaint against Southwest (Dkt. 1) asserting patent infringement of five patents. The Amended Complaint asserts five additional patents against Southwest, involving accused products and technologies that overlap with those already at issue in this case.

The Parties have communicated, and Southwest is unopposed to this Motion for Leave to File Amended Complaint. In addition, the Parties have jointly agreed to file a forthcoming Motion to Amend Scheduling Order. This Motion for Leave is not made for undue delay and is made in good faith.

WHEREFORE, Plaintiffs respectfully request that the Court grant leave for Plaintiffs to file an Amended Complaint and rule that the Amended Complaint attached as Exhibit __, be filed.

Dated: May 23, 2025

Respectfully submitted,

By: /s/ Jonathan K. Waldrop

Jonathan K. Waldrop (CA Bar No. 297903)

(Admitted in this District)

jwaldrop@kasowitz.com

Darcy L. Jones (CA Bar No. 309474)

(Admitted in this District)

djones@kasowitz.com

Marcus A. Barber (CA Bar No. 307361)

(Admitted in this District)

mbarber@kasowitz.com

John W. Downing (CA Bar No. 252850)

(Admitted in this District)

jdowning@kasowitz.com

Heather S. Kim (CA Bar No. 277686)

(Admitted in this District)

hkim@kasowitz.com

ThucMinh Nguyen (CA Bar No. 304382)

(Admitted in this District)

tnguyen@kasowitz.com

KASOWITZ BENSON TORRES LLP

333 Twin Dolphin Drive, Suite 200

Redwood Shores, California 94065

Telephone: (650) 453-5170

Facsimile: (650) 453-5171

Mark D. Siegmund (TX Bar No. 24117055)

msiegmund@cjsjlaw.com

CHERRY JOHNSON SIEGMUND

JAMES PLLC

7901 Fish Pond Rd., 2nd Floor

Waco, Texas 76710

Telephone: 254-732-2242

Facsimile: 866-627-3509

Attorneys for Plaintiffs

INTELLECTUAL VENTURES I LLC

INTELLECTUAL VENTURES II LLC

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for Plaintiffs and Defendant conferred via electronic mail and telephone concerning the relief requested in this motion, and Defendant represents that it is unopposed to the relief requested.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served or delivered electronically to all counsel of record, on this 23rd day of May 2025, via the Court's CM/ECF System.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

v.

SOUTHWEST AIRLINES CO.,

Defendant.

Civil Action No. 7:24-cv-00277-ADA

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND SCHEDULING ORDER

TO THE HONORABLE COURT:

Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (“Plaintiffs” or “IV”) and Defendant Southwest Airlines Co. (“Defendant” or “Southwest”) (collectively, the “Parties”), jointly submit this Joint Motion to Amend Scheduling Order. The Parties agree on the case schedule attached as Exhibit A.

On May 20, 2025, counsel for Plaintiffs informed counsel for Southwest of Intellectual Ventures’ intention to seek leave to amend their complaint to assert five (5) additional patents against Southwest. Southwest is unopposed to Intellectual Ventures’ proposed amendments and Motion for Leave to File an Amended Complaint. Accordingly, the Parties jointly file this Motion to Amend Scheduling Order.

By way of this Joint Motion, the Parties respectfully request that the Court enter the attached [Proposed] Amended Scheduling Order.

Dated: May 23, 2025

Respectfully submitted,

By: /s/ S. Wallace Dunwoody
 Michael C. Wilson
 State Bar No. 21704590
 mwilson@munckwilson.com
 S. Wallace Dunwoody
 State Bar No. 24040838
 wdunwoody@munckwilson.com
Munck Wilson Mandala, LLP
 2000 McKinney Avenue, Suite 1900
 Dallas, TX 75201
 (972) 628-3600
 (972) 628-3616 fax

David G. Henry
 Texas Bar. No. 09479355
 dhenry@munckwilson.com
Munck Wilson Mandala, LLP
 510 Austin Avenue, Suite 3100
 Waco, Texas 76701
 (254) 362-2300
 (254) 362-2304 fax

Tri T. Truong
 Texas State Bar No. 24102969
 ttruong@munckwilson.com
Munck Wilson Mandala, LLP
 807 Las Cimas Parkway, Suite 300
 Austin, Texas 78756
 737-201-1600
 737-201-1601 fax

Attorneys for Southwest Airlines Co.

By: /s/ Jonathan K. Waldrop
 Jonathan K. Waldrop (CA Bar No. 297903)
 (Admitted in this District)
 jwaldrop@kasowitz.com
 Darcy L. Jones (CA Bar No. 309474)
 (Admitted in this District)
 djones@kasowitz.com
 Marcus A. Barber (CA Bar No. 307361)
 (Admitted in this District)
 mbarber@kasowitz.com
 John W. Downing (CA Bar No. 252850)
 (Admitted in this District)
 jdowning@kasowitz.com
 Heather S. Kim (CA Bar No. 277686)
 (Admitted in this District)
 hkim@kasowitz.com
 ThucMinh Nguyen (CA Bar No. 304382)
 (Admitted in this District)
 tnguyen@kasowitz.com
KASOWITZ BENSON TORRES LLP
 333 Twin Dolphin Drive, Suite 200
 Redwood Shores, California 94065
 Telephone: (650) 453-5170
 Facsimile: (650) 453-5171

Mark D. Siegmund (TX Bar No. 24117055)
 msiegmund@cjsilaw.com
Cherry Johnson Siegmund James PLLC
 7901 Fish Pond Rd., 2nd Floor
 Waco, Texas 76710
 Telephone: 254-732-2242
 Facsimile: 866-627-3509

*Attorneys for Intellectual Ventures I LLC and
 Intellectual Ventures II LLC*

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for Plaintiffs and Defendant conferred via electronic mail and telephone concerning the relief requested in this motion, and Plaintiffs and Defendant represent that they jointly request this relief.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served or delivered electronically to all counsel of record, on this 23rd day of May 2025, via the Court's CM/ECF System.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

v.

SOUTHWEST AIRLINES CO.,

Defendant.

Civil Action No. 7:24-cv-00277-ADA

JURY TRIAL DEMANDED

AGREED SCHEDULING ORDER

| Deadline | Amended Deadline | Item |
|-----------------|-------------------------|--|
| | May 28, 2025 | Plaintiffs serve preliminary infringement contentions of newly asserted patents in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiffs shall also identify the earliest priority date (i.e., the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit. |
| | June 26, 2025 | Answer/motion to dismiss amended complaint |
| | August 25, 2025 | Defendant serves Preliminary Invalidity Contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s). |
| | September 9, 2025 | Deadline to exchange claim terms for construction for newly asserted patents. |
| | September 16, 2025 | Deadline to exchange proposed claim constructions for newly asserted patents. |

| Deadline | Amended Deadline | Item |
|-------------------|-------------------------|--|
| | September 23, 2025 | Deadline to disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced. |
| | September 30, 2025 | Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions. |
| May 27, 2025 | October 14, 2025 | Defendant files Opening Claim Construction Brief. |
| June 17, 2025 | October 28, 2025 | Plaintiffs file Responsive Claim Construction Brief. |
| July 1, 2025 | November 12, 2025 | Defendant files Reply Claim Construction Brief. |
| July 1, 2025 | November 12, 2025 | Deadline to jointly email law clerks to confirm <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution. |
| July 15, 2025 | November 25, 2025 | Plaintiffs file Sur-Reply Claim Construction Brief. |
| July 18, 2025 | December 1, 2025 | Joint Claim Construction Statement (email law clerk's editable copy). <i>See General Issues Note #9 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</i> |
| July 18, 2025 | December 1, 2025 | Deadline to submit optional technical tutorials. |
| July 29, 2025 | December 8, 2025 | <i>Markman</i> Hearing |
| July 30, 2025 | December 9, 2025 | Fact Discovery opens; deadline to serve Initial Disclosures. |
| November 7, 2025 | March 20, 2026 | Deadline to add parties. |
| November 21, 2025 | April 3, 2026 | Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions. |
| November 18, 2025 | March 14, 2026 | Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.) |
| January 27, 2026 | May 29, 2026 | Deadline for the first of two meet and confers to discuss narrowing number of claims asserted and prior art references at issue. Unless the parties agree to the |

| Deadline | Amended Deadline | Item |
|-------------------|-------------------------|---|
| | | narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues. |
| February 26, 2026 | June 26, 2026 | Close of Fact Discovery |
| March 5, 2026 | July 23, 2026 | Opening Expert Reports |
| April 2, 2026 | August 20, 2026 | Rebuttal Expert Reports |
| April 30, 2026 | September 9, 2026 | Close of Expert Discovery |
| May 7, 2026 | September 16, 2026 | <p>Deadline for the second of two meet and confers to discuss narrowing number of claims asserted and prior art references at issue to triable limits.</p> <p>If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within <u>5 business days</u> regarding the results of the meet and confer.</p> |
| May 14, 2026 | September 23, 2026 | <p>Dispositive motion deadline and <i>Daubert</i> motion deadline.</p> <p>See General Issues Note #9 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</p> <p>Deadline for parties desiring to consent to trial before the magistrate judge to submit Form AO 85, "Notice, Consent, And Reference of A Civil Action To A Magistrate Judge," available at https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge.</p> |
| | October 7, 2026 | Oppositions to dispositive and <i>Daubert</i> motions |
| | October 21, 2026 | Replies in support of dispositive and <i>Daubert</i> motions |
| May 21, 2026 | October 26, 2026 | Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists and deposition designations). |
| June 2, 2026 | November 5, 2026 | Serve objections to pretrial disclosures/rebuttal disclosures. |
| June 2, 2026 | November 5, 2026 | Deadline to Jointly email law clerk to confirm their pretrial conference and trial dates. |
| June 9, 2026 | November 18, 2026 | Serve objections to rebuttal disclosures; file motions <i>in limine</i> . |
| June 16, 2026 | November 20, 2026 | File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, deposition designations). |

| Deadline | Amended Deadline | Item |
|-----------------|-------------------------|--|
| | | From this date onwards, the parties are obligated to notify the Court of any changes to the asserted patents or claims. Such notification shall be filed on the docket within seven (7) days of the change and shall include a complete listing of all asserted patents and claims. If a change to the asserted patents or claims requires leave of court (for example, if a party is moving for leave to assert additional claims), notification shall not be required until the Court grants leave, at which point the notification must be filed within seven (7) days. |
| June 16, 2026 | November 20, 2026 | File oppositions to motions <i>in limine</i> . |
| June 23, 2026 | November 27, 2026 | File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com . |
| June 23, 2026 | November 27, 2026 | Deadline to file replies to motions <i>in limine</i> . |
| June 29, 2026 | December 3, 2026 | Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> . |
| July 1, 2026 | December 7, 2026 | File Joint Notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> . |
| July 6, 2026 | December 17, 2026 | Final Pretrial Conference (in person unless otherwise requested). |
| July 27, 2026 | January 11, 2027 | Jury Selection/Trial |

SIGNED this _____ day of _____, 2025.

ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE